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[illegible] SERIES.

G.O No. 373

Dated the 9th February 1938.

FOR MYSORE STATE

[Despatch Abstract.]

ACTS and RULES - Workmen's Compensation Act, 1923 - Returns - submission - Courts pending other 3 months - Returns for the quarters ended 31-3-1937 and 31-12-1937 - Papers recorded.

NOTE FILE.

DEVELOPMENT (P.II) DEPARTMENT.

Sub: WORKMEN'S COMPENSATION ACT - Disposal of cases pending over 3 months.

Ref: From the Commissioner for Workmen's Compensation, letter No.W.C.Pdl.No.302/52. dated 15-10-1952.

In G.O. Ms. No.2500, Development, dated 12th June 1952, the Government have prescribed a time-limit of 3 months for the disposal of applications for compensation under the workmen's compensation Act, 1923. The Commissioner for workmen's Compensation was also requested to forward to Government a copy of the quarterly statement of delayed cases. He has accordingly sent a copy of the statement for the quarter ended 30-9-1952 together with reasons for the delay. The statement is reviewed below:—

1. Applications under section 10 of the Act (relating to Fatal accidents.—There are 21 cases pending disposal under this category. Of these 21 cases, 3 cases relate to the year 1950, 3 to the year 1951 and the rest to the current year. The Commissioner has explained the reasons for the pendency. No comments seem called for on this item.

2. Applications under section 10 (relating to non-fatal accidents).— On the whole there are 18 cases of pendency under this item, of which 8 cases related to the year 1951 and the remaining to the current year. The Commissioner has explained the circumstances under which the cases are pending. No remarks seem called for on this item.

3. Distribution proceedings under section 8(1) - (Fatal accidents).—There are altogether 41 cases of pendency, of which 4 cases related to the year 1949, 3 cases to the year 1950, 10 cases to the year 1951 and 24 cases to the year 1952. Of those cases, 5 are pending decision on the appeals filed in the High Court by the parties concerned. In about 22 cases reports from the Revenue Officers as to the identity and whereabouts of the dependents of the deceased workmen are awaited, and Commissioner is in correspondence with these officers. In a few cases, the dependants have not been traced at all. The Commissioner may perhaps be asked to make every effort to reduce the pendancy. For orders.

4. Deposit under section 8(1) (Women and persons under legal diability).—There are 2 cases of pendency both relating to the year 1952, and the Commissioner is taking necessary action. No remarks seem called.

5. Deposit under section 8(2) - Non fatal (men).—There are altogether 13 cases pending disposal. 3 of these cases relate to the year 1949, 4 to the year 1950, 3 to the year 1951 and 3 to the year 1952. It may be stated that of these 13 cases, 10 cases are pending final orders in the High Court. In two of the cases, the reports of the Collector of Madras and in one case the report of the Chief Engineer, Tungabhadra Project are awaited by the Commissioner. In the circumstances no remarks seem called for.

6. Recovery of payments under section 31 - (Non-fatal).— There are 4 cases under this head, 3 of which relate to the year 1951 and 1 to the Current year. In 3 cases, the report of the Collector of Madras and in one case the report of the Collector of Ramanathapuram are awaited by the Commissioner.

7. Idemnification under section 12.— There are two cases both relating to the year 1952 pending with the Commissioner for Women's Compensation and these cases are to be heard by the Commissioner at Kurnool and Visakhapatnam respectively presumably during his next visit.

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8. Memorandum of Agreement.

There are two cases one relating to the year 1951 and the other to the year 1952. In one case medical certificate from workman is awaited and in the other the employer has been addressed as to the address of the workman. No remarks seem called for on this item.

The file may be circulated to Minister (Industries and Labour) for perusal.

Recently the Government of India sent us a list of Commissioners under the Workmen's Compensation Act in the several States in India. Please put up that list. Get also a copy or Memorandum referred to on p.1 c.f., if the original is not available.

Y.S.M.
29-11-52.

Resubmitted.

The list referred to at 'M' above is put up at (S).

A draft T.M. calling for a copy of Memorandum referred to at 'A' on p.1 c.f. is submitted for approval.

Y.S.M.
4-12-52.

(Issued as T.M. No.116755-PII/52-1, dated 6-12-1952.)

From the Commissioner for Workmen's Compensation, letter No.C.3-38946/52, dated 8-12-1952.

The Commissioner for Workmen's Compensation has sent a copy of the Memorandum referred to on p.1 c.f. In that Memorandum the Commissioner has been asked to see that the old cases are disposed of, as early as possible, and to give reasons for delays in the disposal of the old cases in his future reports. The Commissioner has accordingly given reasons for the pendency in his present report.

What are the old cases and how many of them are included in the present return as not having been disposed of?

The file is submitted for orders.

Y.S.M.
17/12/52.

Queries of Assistant Secretary at the margin on p.3 above:-

Submitted.

The old cases referred to are those included in the statement sent by the Commissioner for Workmen's Compensation for the quarter ended 30-6-1952. A comparative statement showing the number of cases pending under the various items upto the end of 30-6-1952, and the number of those cases which have ben included in the present report as not having been disposed of is put up at (X). It will be seen therefrom that of the 133 old cases reported to be pending in the previous report, 73 cases have been disposed of and 60 cases are still pending disposal. They have been included in the present report. The pendency of the old cases is still high The Commissioner may be asked to dispose of these cases epeditiously. For Orders.

(1) The number of cases pending at the end of the quarter ended 30-6-1952 — 133

(2) " " " 30-9-1952 — 103

(3) Number of old cases (shown under item (1) above) disposed of during the quarter ended 30-9-1952 - 60

(4) Number of new cases added in the list (item (2)) - 43

The Commissioner may be requested to see that the old cases are disposed of as quickly as possible.

Y.S.M.
4/1/53. J.M. L.P.
6/1/53.

(Orders above)

A draft memo. to the Commissioner for Workmen's Compensatio is submitted for approval.

Y.S.M.
7/1/53.

[Issued as Memo. No.116755-PII/52-2, dated 7-1-1953.

From the Commissioner for Workmen's Compensation, letter No.Pdl.302/52, dated 17-1-1953.]

The Commissioner for Workmen's Compensation has sent the report for the quarter ended 31-12-1952 showing particulars of the cases under the workmen's compensation Act, 1923 pending disposal for over 3 three months. An abstract showing the total number of cases pending during the previous quarter, viz. 30-9-1952, the total number of cases pending during the quarter under report and the number of the old cases included in the present report as not having been disposed of is put up at (A).

The pendancy continued to be high. But the Commissioner for Workmen's Compensation has already been asked to see that old cases are disposed of as quickly as possible. The progress may be watched for some time more before issuing any further instructions. These papers may be recorded.

Y.S.M.
1/2/53 J.M. L.P.
3/2.

G.O.Ms.No.573, Development, dated 6-2-1953.

Abstract.

Acts and Rules - Workmen's Compensation Act, 1923 - Disposal of cases - Cases pending over 3 months - Reports for the quarter ended 30-9-1952 and 30-[illegible]-1952 - Papers recorded.

/ TRUE COPY /

Superintendent.

SSSubramaniam/28-12.

Examined by J. C. Sitaloksh 29-12

Read by [illegible] 29/XII